

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

**LOUISIANA BOARD
OF ETHICS**

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DOCKET NO.

IN THE MATTER OF

RICHARD HAMPTON

AGENCY TRACKING NO. 2012-1729

CHARGES

The Louisiana Board of Ethics voted on December 20, 2012 to and does hereby file the following charges:

I.

Richard J. Hampton, Jr. served as a member of the New Orleans Firefighters' Pension and Relief Fund Board of Trustees (Pension Fund) from January of 1990 , and again from January 2010 to the present.

II.

Richard Hampton, Jr. was appointed as the Secretary-Treasurer of the Pension Fund by the Board of Trustees at its January 11, 1995 meeting and is currently serving in this capacity.

III.

Richard Hampton, Jr. retired from the position of City of New Orleans Fire Department District Chief on July 1, 2009 . He resigned as a Trustee representing the Pension Fund on June 29, 2009. He continued, however, to serve as the Secretary-Treasurer for the Pension Fund.

IV.

In January 2001, the Board of Trustees entered into an employment contract with Mr. Hampton. His position was listed as Chief Executive Officer/Secretary-Treasurer. A new contract was executed in May 2010. The new contract increased Mr. Hampton's pay from \$82,000 to \$156,000 yearly, with an annual cost of living set at 3%.

V.

The New Orleans Firefighters' Pension and Relief Fund was created by La. R.S. 11:3361. The Board of Trustees for the administration of the fund was created by La. R.S. 11:3362. The Board of Trustees is composed of the following members: 1) the superintendent of the fire department; 2) the director of finance of the city of New Orleans; 3) five members elected from the active ranks of the department; and 4) three members elected from the ranks of retired members of the department. Trustees serve two year terms.

VI.

La. R.S. 42:1113 of the Code prohibits a public servant from entering into any contract, subcontract, or any other transaction that is under the supervision of the agency of the public servant or being in anyway interested in a transaction that is under the supervision of the agency of the public servant.

VII.

La. R.S. 42:1121A(1) of the Code prohibits a former agency head, for a period of two years following the termination of his public service from rendering any service on a contractual basis to or for such agency.

VIII.

La. R.S. 42:1121A(2) states that no former member of a board or commission shall, for a period of two years, following the termination of his public service on such board or commission, contract with, be employed in any capacity by, or be appointed to any position by that board or commission.

IX.

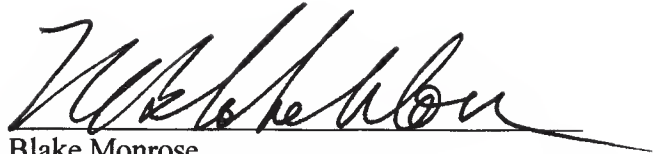
Based on the forgoing facts, Richard Hampton, Jr. violated La. R.S. 42:1113 by virtue of his employment with Pension Fund Board at a time when he served as a member of the Board of Trustees.

Richard Hampton violated La. R.S. 42:1121 by virtue of his employment with the Pension Fund within the two year period subsequent to the termination of his service on the member of the Board of Trustees.

In accordance with La. R.S. 42:1141C (3)(b)(iv), the Board designates Aneatra Boykin and Michael Dupree as the Board's trial attorney in this matter.

WHEREFORE, the Louisiana Board of Ethics requests that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charge; (b) determine that Richard Hampton, Jr. has violated La. R.S. 42:1113 and 42:1121A with respect to the foregoing counts; and (c) assess an appropriate penalty in accordance with the recommendation of the Louisiana Board of Ethics to be submitted at the hearing.

[SIGNATURE AND SERVICE INFORMATION PROVIDED ON THE FOLLOWING PAGE]



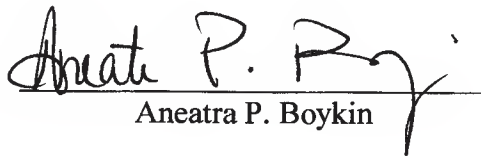
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CERTIFICATE

I hereby certify that I have forwarded a copy of the foregoing brief, by U.S. Mail, to the Respondents in this matter, on the 21 day of December, 2012.



Aneatra P. Boykin